

REMARKS

Reconsideration is requested.

Claims 3 and 5 have been canceled, without prejudice.

Claim 1 has been amended in response to the Examiner's comments in lines 1-2 of page 4 of the Office Action dated January 22, 2004. The amended claims are submitted to be patentable over Weissman et al (U.S. Patent No. 4,738,928) and withdrawal of the Section 102 rejection of claims 1, 2 and 4 over the same is requested.

The applicants are preparing and will submit under separate cover an English translation of the priority document, to obviate the Section 102 rejection of claims 1, 2 and 4 over DeCraene (Biotechnology, vol. 27, 1999, pages 962-966). The Examiner is requested to contact the undersigned in the event the Examiner reaches this case for action and the English translation of the priority document has not been received by the Patent Office. Withdrawal of the Section 102 rejection of claims 1, 2 and 4 over DeCraene is requested.

The Section 103 rejections of claim 3 over Weissman et al or DeCraene are moot in view of the above amendments. Entry of the above amendments will, at a minimum, advance prosecution by reducing the issues for potential appeal. Entry of the amendment is requested.

The Section 112, second paragraph, rejection of claims 6 and 7 are obviated by the above amendments. The Examiner's helpful suggestions for amending the claims are acknowledged, with appreciation. Entry of the above amendments and withdrawal of the Section 112, second paragraph, rejection of claims 6 and 7 are requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

Respectfully submitted,

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By: _____



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